

MESSAGE NO: 5127303

MESSAGE DATE: 05/07/2015

MESSAGE STATUS: Active

CATEGORY: Countervailing

TYPE: LIQ-Liquidation PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE: OUTSCO-Out of Scope

FR CITE:

FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): C-570-968

EFFECTIVE DATE: 09/07/2010

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED:

TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Countervailing duty scope determination on aluminum extrusions from the People's Republic of China (C-570-968).

1. Commerce received a scope ruling request from Guardian Fall Protection, Inc. Commerce issued a final scope determination on 04/20/2015 that Guardian Fall Protection, Inc.'s Window Anchor which Guardian Fall Protection, Inc. imports is not within the scope of the countervailing duty order on aluminum extrusions from the People's Republic of China (C-570-968).
2. Commerce determined that Guardian Fall Protection, Inc.'s Window Anchor, consisting of aluminum extrusions as well as non-extruded aluminum and non-aluminum components (i.e., a steel D-ring connector, neoprene rubber and steel foot pad, steel stoppers, and stainless steel cable tether) which go beyond mere fasteners, is outside the scope of the order because it is a finished product that is fully and permanently assembled and completed at the time of entry. Therefore, Guardian Fall Protection, Inc.'s Window Anchor is not within the scope of the countervailing duty order on aluminum extrusions from the People's Republic of China.
3. For all entries of Guardian Fall Protection, Inc.'s Window Anchor not within scope that remain unliquidated on or after 09/07/2010, CBP shall terminate suspension and liquidate entries of product not within scope which were entered, or withdrawn from warehouse, for consumption.
4. Refund any cash deposits and release any bonds relating to Guardian Fall Protection, Inc.'s Window Anchor described above.
5. These instructions constitute notice of the lifting of suspension of liquidation of entries of Guardian Fall Protection, Inc.'s Window Anchor entered, or withdrawn from warehouse, for consumption on or after 09/07/2010.
6. The assessment of countervailing duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated countervailing duties. The interest provisions are not applicable to cash or bonds posted as estimated countervailing duties before the date of

publication of the countervailing duty order. Interest shall be calculated from the date payment of estimated countervailing duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

7. Unless instructed otherwise, for all other shipments of aluminum extrusions from the People's Republic of China not covered by paragraph 2 above, you shall continue to collect cash deposits of estimated countervailing duties for the merchandise at the current rates.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OVI:DS.)

9. There are no restrictions on the release of this information.

Michael B. Walsh

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party